



**Fishman | Stewart**  
PLLC  
INTELLECTUAL PROPERTY

39533 Woodward Ave., Ste. 140  
Bloomfield Hills, Michigan 48304 USA  
Tel: +1 (248) 594-0600  
Fax: +1 (248) 594-0610

**Douglas P. LaLone**  
+1 (248) 594-0650  
[dlalone@fishstewip.com](mailto:dlalone@fishstewip.com)

**VIA ECF AND FACSIMILE**

August 8, 2017

Hon. Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007  
Fax: (212) 805-7986

Re: *Bytemark, Inc. v. Xerox Corp. et al.*, Case No. 1:17-cv-01803

Dear Judge Gardephe:

We represent Defendants Xerox Corp. ("Xerox"), ACS Transport Solutions, Inc. ("ACS"), Xerox Transport Solutions, Inc. ("Xerox Transport"), Conduent, Inc. ("Conduent"), and New Jersey Transit Corp. ("NJ Transit") (collectively "Defendants").

Today we had a meet and confer with Bytemark's counsel pursuant to Rule IV(A) of the Individual Rules of Practice of this Court concerning a pre-motion conference. The purpose of which was to discuss issues Defendants have with respect to what they perceive to be the sufficiency of Plaintiff's pleading and venue and/or jurisdiction over certain parties, among other issues. As a result of the conference the parties have agreed to continue discussions regarding Defendant's motion in hopes of resolving same without motion practice. As such, the parties have agreed to 30 day extension of time for the Defendants to answer or otherwise plead. By this letter the Defendants preserve all of their rights. Accordingly, a 30 day stipulated extension is hereby requested.

Very truly yours,

**FISHMAN STEWART PLLC**

/s/ Douglas P. LaLone

**Douglas P. LaLone**  
**Counsel for the Defendants**

cc: David Dehoney, Esq. (via ECF) Defendant's counsel  
Dariush Keyhani, Esq. (via ECF) Bytemark's counsel